

County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



Leroy D. Baca, Sheriff

May 10, 2013

Deputy Joseph Ament, #[redacted]

Dear Deputy Ament:

On April 17, 2013, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2316575. You were also advised of your right to review the material on which the discipline was based.

You did not exercise your right to respond. The grievance period involved has now elapsed, with no change in discipline.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of fifteen (15) days effective May 13, 2013, through May 27, 2013.

An investigation under File Number IAB 2316575, conducted by Santa Clarita Valley Station, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections [redacted] and/or [redacted] on or about July 13, 2012, while on duty, you failed to conform to work standards established for your position when you failed to take proper police action during the occurrence of a crime and/or failed to take a police report for Criminal Threats and/or failed to take a police report regarding Violation(s) of a Restraining Order. Your failure to detect a crime and/or failure to take proper police action resulted in the failure to enforce state laws regarding Criminal Threats and/or Violation of Restraining Orders.

2. That in violation of Manual of Policy and Procedures Sections [redacted]; and/or 3-01/100.35, False Information in Records, on or about July 13, 2012, while on duty, you failed to conform to work standards established for your position when you failed to take proper police action during the occurrence of a crime by clearing a call for service as "No R/O on file", even though you admitted to having failed to check via your MDT if there were any Restraining Orders on file.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During a Departmental Internal Investigation, on or about July 29, 2012, you failed to make full, complete, and/or truthful statements during your Departmental investigation, as evidenced by but not limited to:

    a. stating that the victim failed to tell you she had a copy of her restraining order in her car, and/or;

    b. denying that the victim offered to show you threatening text messages from her husband, and/or;

    c. stating that you went to the victim's parking lot during a patrol check where you waved to her.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

Prior to determining this disciplinary action, your unit commander has thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Alicia E. Ault, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

AEA:md

c: Advocacy Unit
Jacques A. La Berge, Chief, North Patrol Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Santa Clarita Valley Station/unit Personnel File

4761551N25A-SH-AD32A (2/72) -PS9-85

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: January 25, 2013

OFFICE CORRESPONDENCE FILE NO: IV 2316575

FROM: PAUL BECKER, CAPTAIN
SANTA CLARITA VALLEY STATION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **Ament, Joseph #[redacted]**
Deputy Sheriff
Santa Clarita Valley Station
Field Operations Region I

Upon consideration of the facts developed in this investigation, I have determined that Subject Ament be suspended for a period of **fifteen (15) days** without pay from his position as a deputy sheriff for the reasons set forth in the attached documentation. This decision may be reconsidered based on the employee's response.

PAUL BECKER, CAPTAIN

1-25-13
DATE

CASE REVIEWED BY:

BUDDY GOLDMAN
COMMANDER

02-05-13
DATE

JACQUES A. LA BERGE
CHIEF

02/08/13
DATE

Ament, Joseph #[redacted]
Deputy Sheriff
Santa Clarita Valley Sheriff's Station
Field Operations Region I

January 25, 2013
IV 2316575

That evidence in this investigation supports the following charges:

1. That in violation of Manual of Policy and Procedures Sections [redacted] and/or [redacted] on or about July 13, 2012, while on duty, Subject Ament failed to conform to work standards established for his position when he failed to take proper police action during the occurrence of a crime and/or failed to take a police report for Criminal Threats and/or failed to take a police report regarding Violation(s) of a Restraining Order. Subject Ament's failure to detect a crime and/or failure to take the proper police action resulted in the failure to enforce state laws regarding Criminal Threats and/or Violation of Restraining Orders.

2. That in violation of Manual of Policy and Procedures Sections [redacted] and/or 3-01/100.35, False Information in Records, on or about July 13, 2012, while on duty, Subject Ament failed to conform to work standards established for his position when he failed to take proper police action during the occurrence of a crime by clearing a call for service as "No R/O on file" even though Subject Ament admitted to having failed to check via his MDT if there were any Restraining Orders on file.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During a Departmental Internal Investigation, on or about July 29, 2012, Subject Ament failed to make full, complete, and/or truthful statements during his Departmental investigation, as evidenced by but not limited to:

   a) stating that the victim failed to tell him she had a copy of her restraining order in her car, and/or;

   b) denying that the victim offered to show him threatening text messages from her husband, and/or;

   c) stating that he went to the victims parking lot during a patrol check where he waived to her.

Ament, Joseph # [redacted]
Deputy Sheriff
Santa Clarita Valley Sheriff's Station
Field Operations Region I

January 25, 2013
IV 2316575

SUMMARY

On July 13, 2012, the subject responded to a call for service where the victim (Witness #1) stated that her estranged husband, whom she has a restraining order against, called her and sent her text messages stating that he was on his way to her house to kill her and her family. The victim offered to show the subject the threatening text messages on her phone and the restraining order, which was in her car. Even though both items would have been critical items of evidence, proving the crime occurred, the subject did not want to look at them. The subject failed to take a police report for Criminal Threats and Violation of a Restraining Order after both crimes were clearly committed. The subject offered to do patrol checks of her apartment complex instead of documenting the incident in a police report. The subject stated that he conducted a patrol check at 4:30 AM and waved at the victim, and she waved back, while she got into her car. The victim said the deputy was not in the parking lot at 4:30 AM and she did not wave to any deputy. The victim has a valid restraining order against her husband due to prior domestic assaults. The subject cleared the call stating that there was no crime and no restraining order on file, which was not

accurate. The subject failed to run the suspect via MDT to check if a current restraining order was on file or to see if he had any wants/warrants.

The victim's [redacted], Witness #2, was present during the call for service and confirmed that the victim told the subject that the restraining order was in her car. He said that when the victim left for work in the morning, he saw that there was no deputy in the parking lot.

The victim's [redacted] Witness #3, was present during a portion of the victim's conversation with the subject. He heard the victim tell the subject that she has a restraining order and that the subject only offered to do a patrol check.

Deputy Wilson, Witness #4, responded to the call and heard the subject discussing a restraining order and text messages with the victim, but did not hear what was said because he was several feet away at the time.

During an interview, the subject stated the victim did tell him that she was threatened by her husband and that she had a current restraining order against him. When asked why he did not take a report, the subject said that the victim did not have a copy of the restraining order with her. The subject denied that the victim told him the restraining order was in her car and denied that the victim offered to show him the text messages on her phone. The subject said he offered to conduct security checks of the victim's apartment complex instead of writing a police report and stated that he returned to her apartment parking lot at 4:30 AM to ensure she made it to her car safely. He stated that they saw each other and waved to each other in the parking lot. He later admitted that he should have written a police report. The subject also admitted that he did not run the suspect via MDT to check if a restraining order had been issued.

The subject admitted he should have taken a police report.

The victim came to Santa Clarita Station the morning after her contact with Deputy Ament and an Incident Report was taken by Dep. Hatami (file # 012-09175-0631-175). Included in the report is a copy of the victim's restraining order, which was issued on 11/01/11 (#[redacted]

The victim's estranged husband is a "Columbus Street" gang member and has [redacted] Due to the suspect's criminal background, the reasonableness of threat to the victim is increased.

Evidence Reference:

Incident History Report (Tag 10, 07/13/12)
Unit History Report (Unit 61A, 07/13/12)
Incident Report (SH-R-49) File # 012-09175-0631-175
Restraining Order # 1PY06088 (Issued 11/01/11)

Conflicting Evidence/Defenses:

The subject stated that the victim did not have a copy of the restraining order with her and denies that the victim stated it was in her car. The victim stated that she offered to get a copy of the restraining order from her car, but the subject was not interested in seeing it. The victim's [redacted] confirms that the victim told the subject that the restraining order was in the car, but did not hear the subject's response. The subject could have resolved any doubt about the existence of the restraining order by running the suspect or victim via MDT.

The subject said that he conducted a patrol check of the parking lot at 4:30 AM to ensure the victim got to her car safely and that he and the victim waved at each other. The victim and her [redacted] (witness) said that the deputy was not in the parking lot at 4:30 AM when they went to their car and they did not wave to the subject (because he was not there). The subject's MDT log (Unit History) showed he was at a family disturbance call, approximately 2 ½ miles away, until 0431 hrs.

DISCIPLINE ASSESSMENT

Review of Applicable "Guidelines for Discipline" Sections

The Department's "Guidelines for Discipline" lists the following analogous misconduct with associated disciplinary penalties:

Performance to Standards	Written Reprimand to Discharge
Duties of All Members	1-5 Days
False Statements during a Departmental Investigation	15 Days to Discharge

Ament, Joseph # [redacted]
Deputy Sheriff
Santa Clarita Valley Sheriff's Station
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Assessment of Mitigating and Aggravating Factors:

Mitigating Factors:

None

Aggravating Factors:

None

Severity of Infraction:

Maintaining sufficient competency to properly perform the duties of a Deputy Sheriff is critical. Failure to sufficiently identify that a serious, and potentially life threatening, crime had occurred and failure to properly document the crime in a police report exposed the victim to additional danger and exposed the Sheriff's Department to certain liabilities. The crime of Criminal Threats and a Domestic Violence Court Order Violation were clearly present, however the subject chose not to document it in a police report.

Intent, Truthfulness, and Acceptance of Responsibility:

The subject accepted responsibility for failing to document this crime in a police report, however he does not appear to have been truthful when he denied that the victim advised him that a copy of her restraining order was in her car, when he denied that she offered to show him her threatening text messages, and when he stated that he conducted a patrol check at the victim's parking lot and waved to her.

Degree of Culpability:

The subject is solely culpable for this violation.

Ament, Joseph #[redacted]
Deputy Sheriff
Santa Clarita Valley Sheriff's Station
Field Operations Region I

January 25, 2013
IV 2316575

Past Performance and Disciplinary History:

Subject Ament has been an employee of the Sheriff's Department for more than five years and has three previous founded investigations:

Date	MPP	Discipline
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]

SANTA CLARITA VALLEY STATION
INVESTIGATIVE SUMMARY
IV 2316575

Subject: Joseph Ament, Deputy, #[redacted]
Date: July 13, 2012
Time: 0021 hrs.
Location: [redacted]Sierra Highway #[redacted], Canyon Country

Subject Deputy Joseph Ament is alleged to have failed to write a police report when provided with information indicating that a police report was necessary to document a felony crime that occurred. Subject Ament then documented in his MDT log that there was no crime at the location and that the victim did not have a restraining order, which were not correct **(Refer EXHIBIT #1 - Incident History Report)**. He also made statements during the investigation that were inconsistent with what two witnesses stated.

CASE SUMMARY

On July 13, 2012, Subject Ament was dispatched to a call for service at [redacted] Sierra Highway in Canyon Country. The call stated:

> ***"166.4N - INF STATED HUSB [redacted] SENDING TEXTS THAT HE IS ON HIS WAY OVER TO KILL HER AND HER FAMILY. NO VEH DESC FOR DP"***

Subject Ament's MDT call clearance stated:

> ***"C INF RE: 166.4 NO CRIME AT LOC. 415F ONLY. NO R/O ON FILE. INF IS IN PROC OF GETTING ONE"***

Refer to EXHIBIT #1 - Incident History Report

The call that Subject Ament was dispatched to indicated that the informant (Witness #1) stated that her estranged husband, whom she has a restraining order against, called her and sent her text messages stating that he was on his way to her house to kill her and her family. The call clearly indicates that the crime of Criminal Threats (422 PC) had occurred and that there was also a restraining order violation, as evidence by the radio code used (166.4N). Subject Ament cleared the call via his MDT by stating that

he contacted the informant regarding a restraining order violation and that there was no crime at the location. His clearance also states that there is no restraining order on file and that the informant is in the process of obtaining a restraining order **(Refer EXHIBIT #1 - Incident History Report)**. It should be noted that the informant has had a restraining order since 11-01-2011. Subject Ament failed to run the suspect via his MDT to determine if there was a current restraining order on file **(Refer EXHIBIT #2 - Unit History Report)**.

The victim (Witness #1) showed up at the station the next day to find out why Subject Ament refused to file a police report, refused to look at her threatening text messages, and refused to look at the restraining order she had in her car. A police report was then written by the counter deputy, Deputy Hatami (#[redacted]). In the report, it is clear that the informant is the victim of Criminal Threats and a Restraining Order Violation **(Refer EXHIBIT #3 - Incident Report** and **EXHIBIT #4 - Restraining Order #[redacted]**.

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews.

<u>WITNESSES</u>

[redacted] FH/[redacted]

Lieutenant Eric Lasko, Santa Clarita Station, interviewed [redacted] July 24, 2012. She was interviewed regarding her call for service and the response by Subject/Deputy Ament.

[redacted] said her husband is on drugs, is a gang member, and is capable of following through with his threats to harm her. She is in fear for her safety and has a valid restraining order against her husband due to prior domestic assaults.

[redacted] said that when Subject Ament responded to her call for service, his partner (Witness Deputy Wilson) walked around the apartment complex on foot to look for the suspect. Subject Ament asked her if she had her restraining order in her possession. She looked through her purse and couldn't find it. She then said that it was in her [redacted]'s car, which she told him was in the parking lot. The subject never asked her to get the restraining order from the car, which was parked approximately ten feet away. She then read Subject Ament the threatening text messages and wanted to show them to him, but he didn't ask look at them.

[redacted] told Subject Ament that she was scared because she would have to leave her apartment at 4:30 AM. He then offered to do patrol checks of her apartment complex and told her that if she becomes scared, she can make a "courtesy call" to the

station for a patrol car to check the area. She said that Subject Ament explained to her the process of obtaining a restraining order, but she told him that she already had one (issued on 11-01-2011).

Subject Ament did not take a police report documenting the incident, so she came to the station the next day.

[redacted] said that when she went out to her car at 4:30 AM she did not call the station for a patrol check. She said that her [redacted] walked her out to her car and she did not see any deputies in the parking lot. I asked her if she saw Subject Deputy Ament in the parking lot and she said no.

[redacted] said that her [redacted] was present during the conversation with Subject Ament and her [redacted]) also heard a portion of the conversation.

On 11/01/12, I re-contacted [redacted] to clarify some of her statement. She confirmed to me that she left at 4:30 AM to go to work and did not see any deputies in the parking lot, did not see Deputy Ament, and did not wave to Deputy Ament or any other deputy. She said that the first thing she did, before she left, was look around the parking lot for a deputy, but she did not see one.

[redacted] also confirmed that her husband did have charges filed against him regarding this Criminal Threats incident, based on the police report Deputy Hatami wrote the next day at the Santa Clarita Station counter.

[redacted] MH/[redacted]

Lieutenant Eric Lasko, Santa Clarita Station, interviewed [redacted] on July 24, 2012. He was interviewed regarding him witnessing Subject/Deputy Ament's interaction with his [redacted] Witness [redacted]

[redacted] was present when Subject Ament was speaking to his [redacted]. He said that [redacted] told Subject Ament that she received a phone call from her husband and that he (her estranged husband) was going to come and kill them all. [redacted] told Subject Ament that she had a restraining order and she looked for it in her purse. She then told him that is might be in her car. [redacted] said that [redacted] told Subject Ament that they needed to go to their jobs (in the morning). Subject Ament told them that they can call 911 if the suspect shows up while they leave for work. He said that when they left for work in the morning, there was no deputy sheriff there.

[redacted] could not remember if [redacted] showed Subject Ament any text messages.

[redacted] MH/[redacted]

Lieutenant Eric Lasko, Santa Clarita Station, interviewed [redacted] on November 1, 2012. He was interviewed regarding him witnessing Subject/Deputy Ament's interaction with his [redacted], Witness [redacted]

Witness [redacted] said that on the night of this incident, he arrived at his [redacted] apartment ([redacted]) when she and their [redacted] ([redacted] were speaking to the responding deputy. He said that [redacted] was pleading with the deputy to do something to help them and [redacted] was crying. [redacted] said that [redacted] was telling the deputy "what if he comes and hurts her?" and also said that [redacted] was really worried. He said that Deputy Ament told them that he wished that he could do something.

[redacted] remembered [redacted] telling Deputy Ament that she has a restraining order, but he couldn't remember if she showed him a restraining order. He said that Ericka mentioned text messages and the deputy may have written them down. He said that Deputy Ament told them that he would do some patrol checks the next day around 4:00. [redacted] also said that he did not recall whether he told Deputy Ament that the suspect had no transportation to the apartment (to follow through with the threats).

Jonathan Wilson, #[redacted], Deputy

Witness Wilson was interviewed by Lieutenant Eric Lasko, on July 24, 2012, at 2353 hours, at Santa Clarita Station.

Deputy Wilson responded to this call with Subject Ament, in separate patrol cars. When they arrived at the location, Witness Wilson stood several feet away while Subject Ament spoke to Witness [redacted] He did not hear their conversation, but did hear them talking about a restraining order. He heard no specific details about their conversation, but remembers her saying that she received text messages stating that someone was coming over to kill her and her family. He did not see [redacted] showing Subject Ament her phone. He said that he was concentrating on the parking lot in case the suspect showed up.

SUBJECT

Joseph Ament, #[redacted] Deputy

Subject Ament was interviewed by Lieutenant Eric Lasko, on July 20, 2012, at 2200 hours, at Santa Clarita Station.

> **Investigator's Note:** All statements inconsistent with the witness statements are highlighted in **BOLD** font.

Subject Ament stated that on the night of this incident he responded to a call of a boyfriend making threats, via cellphone; stating that he was going to the location to kill the victim. He said that when he arrived, the victim was "real agitated." She told Subject Ament that her husband had done this before and that he makes threats, but doesn't follow through with them. Subject Ament asked her to present how her husband threatened her and **she told him that she doesn't have the text messages**. Subject Ament asked her if she had her restraining order, and **she said she didn't have a copy**. Subject Ament said that the victim believed that her husband didn't know where she moved to because she recently moved from North Hollywood. She said that he was not capable of following through with his threats, but he does have a short temper. Subject Ament said he asked the victim what she wanted done. She replied that she had to leave for work in the morning, at 4:30 AM, to take her mom to work. He told her that she could call for a patrol check when she left for work.

Subject Ament said that **later in the night he went by the location at 4:30 AM and saw the victim walking to her car. He said they waived at each other and she left in her vehicle**. He assumed that his patrol check was sufficient to handle the call.

Subject Ament again said that **he did ask the victim if she had a copy of the restraining order and she said no. He denied that the victim told him that her restraining order was in the car.** He also denied that she told him that her husband was a gang member.

Subject Ament admitted that the radio call he received, regarding the incident, stated that the suspect was on his way to the victim's house to kill her and her family. He admitted that he cleared the call as "No crime at location" and "No R/O on file" and didn't check if there was a restraining order on file via his MDT. He said that he cleared the call as no crime because he assumed that the victim would know if there was a restraining order on file. He admitted that he should have taken a 422 PC report, but claimed that the victim told him that it was just the way her husband acted when he gets upset, and she did not believe that he was capable of harming them.

Subject Ament said that if he had a chance to do things over he would have ran the suspect via MDT.